

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

EXMARK MANUFACTURING COMPANY  
INC.,

Plaintiff,

vs.

BRIGGS & STRATTON CORPORATION,

Defendant.

**8:10CV187**

**ORDER**

This matter is before the Court on objections, [Filing Nos. 812](#) and [870](#), filed by defendant Briggs & Stratton Corporation (“Briggs”) to orders of the Magistrate Judge, [Filing Nos. 788](#) and [856](#), granting Exmark Manufacturing Company’s (“Exmark”) motion to enforce the scheduling order and for a protective order, [Filing No. 768](#), and denying Briggs’s motion to amend the scheduling order, [Filing No. 813](#). The Court is advised that the parties have settled the dispute. The parties have agreed that, unless Briggs opens the door to them at trial, Exmark’s damages expert will not rely on the MTD and Husqvarna settlement agreements, nor will Exmark seek to introduce the agreements or the terms thereof. Accordingly, the objections to the Magistrate Judge’s order are moot.

IT IS ORDERED that Briggs’s objections ([Filing No. 812](#) and [Filing No. 870](#)) are denied as moot.

Dated this 10th day of December 2018.

BY THE COURT:

s/ Joseph F. Bataillon

Senior United States District Judge